

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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| <p>In re:</p> <p>NationsRent, Inc., et al.,<sup>1</sup></p> <p style="text-align: center;">Debtors.</p>   | <p>Case Nos. 01-11628 through 01-11639 (PJW)</p> <p>Jointly Administered</p> <p>Chapter 11</p>  |
| <p>NationsRent Unsecured Creditor's<br/>Liquidating Trust, Perry Mandarino, not<br/>personally, but as Trustee</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>3-D/Costal Oil Company</p> <p>4 Star Air Hydraulics &amp; Ind.</p> <p>Action Tire Company</p> <p>ADA Resources Inc.</p> <p>Advanced Tire Inc.</p> <p>Ael Leasing Co., Inc.</p> <p>Agovino &amp; Asselta, LLP</p> <p>Airdyne Management Inc.</p> <p>Allen Oil Company of Sylacauga, Inc.<sup>1</sup></p> <p>Alternators Unlimited Reb.</p> <p>A.O.K. Tire Mart II, Inc.</p> <p>Archie's Truck Service</p> <p>Arrow Master, Inc.</p> <p>ASAP Equipment Rental &amp; Sales</p> <p>Authorized Equipment, Inc.</p> | <p>District Court Case Nos. (KAJ):</p> <p>04-CV-1033</p> <p>04-CV-1030</p> <p>04-CV-1031</p> <p>04-CV-976</p> <p>04-CV-713</p> <p>04-CV-767</p> <p>04-CV-1035</p> <p>04-CV-714</p> <p>04-CV-801</p> <p>04-CV-988</p> <p>04-CV-766</p> <p>04-CV-1158</p> <p>04-CV-1160</p> <p>04-CV-716</p> <p>04-CV-784</p> |

<sup>1</sup> NationsRent USA, Inc., NationsRent Transportation Services, Inc., NR Delaware, Inc., NRG, Inc., NationsRent West, Inc., Logan Equipment Corp., NR Dealer, Inc., NR Franchise Company, Inc., NationsRent of Texas, LP, and NationsRent of Indiana, LP

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| Bay Counties Pitcock Petroleum Inc.         | 04-CV-1060 |
| Black & Veatch Constr.                      | 04-CV-1039 |
| Blue Ribbon Tire Co., Inc.                  | 04-CV-721  |
| Bobcat Company                              | 04-CV-1026 |
| Bradenton Fuel Oil, Inc.                    | 04-CV-1037 |
| Burch-Lowe, Inc.                            | 04-CV-1076 |
| Carruth-Doggett Industries, Inc.            | 04-CV-723  |
| C.G.& E.                                    | 04-CV-802  |
| Central Tire                                | 04-CV-995  |
| Cintas Corp. #318, Cintas Corporation No. 2 | 04-CV-996  |
| CMD Group                                   | 04-CV-726  |
| Coleman Engineering                         | 04-CV-1148 |
| Collision Pro                               | 04-CV-1149 |
| Columbus Equipment Company                  | 04-CV-998  |
| Columbus McKinnon Corp.                     | 04-CV-999  |
| Commercial Tire Inc.                        | 04-CV-806  |
| Construction Machinery, Inc.                | 04-CV-1142 |
| Contractors Machinery Co. Inc.              | 04-CV-795  |
| Corporate Express                           | 04-CV-1001 |
| Cowin Equipment Company, Inc.               | 04-CV-728  |
| Creative Financial Staffing                 | 04-CV-1021 |
| Crosscheck, Inc.                            | 04-CV-732  |
| Cyrk, Inc. a/k/a Cyrk Acquisition           | 04-CV-734  |
| Delta BCX Printing                          | 04-CV-1167 |
| Delta Formost Chemical Corporation          | 04-CV-1170 |
| Diamant Boart Inc.                          | 04-CV-1104 |
| Diamond Hydraulics                          | 04-CV-1106 |
| Diamond J. Transport, Inc.                  | 04-CV-787  |

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| Diversified Credit Service  | 04-CV-1096 |
| Don's Tire Service, Inc.  | 04-CV-1106 |
| Dorris Cleaning   | 04-CV-1111 |
| Doskocil Industries, Inc.   | 04-CV-1150 |
| Dossey Holdings, Inc.   | 04-CV-1155 |
| Double A  | 04-CV-1153 |
| Douglass Distributing   | 04-CV-1114 |
| Dutchess Forging  | 04-CV-1117 |
| Ebusiness Technology partners, Inc., f/k/a<br>PSR Professional Staffing, Inc. | 04-CV-747  |
| Ed Hart   | 04-CV-975  |
| EJ Reynolds, Inc.   | 04-CV-722  |
| Equipment Development Co., Inc.   | 04-CV-1128 |
| Equiptechs, Inc.  | 04-CV-789  |
| Falcon Power  | 04-CV-1130 |
| Fischer Group   | 04-CV-1141 |
| FL Hydraulic Machinery  | 04-CV-725  |
| Fleetwing Corp.   | 04-CV-1151 |
| Fluid Tech Hydraulics, Inc.   | 04-CV-1154 |
| GCR Pensacola Truck Tire Ctr.   | 04-CV-730  |
| Gene Jackson Tire Co.   | 04-CV-1049 |
| GFC Leasing   | 04-CV-1051 |
| GMR Marketing LLC   | 04-CV-731  |
| Goodyear Commercial Tire & Service<br>Center                                  | 04-CV-733  |
| GSR Construction, Inc.  | 04-CV-768  |
| Gullo Ford Mercury  | 04-CV-769  |
| Harbor Graphics Corporation   | 04-CV-1007 |
| Harte-Hanks   | 04-CV-739  |

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| Hick's Petroleum Distributors, Inc. | 04-CV-770  |
| Hindley Electronics, Inc.           | 04-CV-1013 |
| Holt Equipment Company Co., LLC     | 04-CV-772  |
| Hunt & Sons                         | 04-CV-1019 |
| Husqvarna Forest & Garden           | 04-CV-1176 |
| ID Technologies, Inc.               | 04-CV-1043 |
| Igloo Products Corp.                | 04-CV-1042 |
| Illuminating Company                | 04-CV-1070 |
| Industrial Hydraulics               | 04-CV-1075 |
| Ingram Trucking LLC                 | 04-CV-744  |
| BBF, Ltd                            | 04-CV-800  |
| JAM Distributing Company            | 04-CV-1123 |
| J&B Auto Supply, Inc.               | 04-CV-1162 |
| Jeff Falkanger & Associates         | 04-CV-1184 |
| Jimmy's Garage                      | 04-CV-1080 |
| Joe Jeter Sales                     | 04-CV-981  |
| John Ray and Sons Inc.              | 04-CV-774  |
| Kent Demolition Tools               | 04-CV-987  |
| Keson Industries Inc.               | 04-CV-1116 |
| Kforce.com Inc.                     | 04-CV-745  |
| L&P Financial Services              | 04-CV-1165 |
| Laclede Chain Mfg. Co.              | 04-CV-1086 |
| Land & Sea Petroleum, Inc.          | 04-CV-993  |
| Lionudakis Wood & Green Waste       | 04-CV-1091 |
| Little Beaver, Inc.                 | 04-CV-997  |
| Lockhart Tire                       | 04-CV-1062 |
| M & D Distributors                  | 04-CV-1172 |
| M.P. Brine Inc.                     | 04-CV-783  |

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| Maxim Group   | 04-CV-757  |
| Maxout Sourcing Services  | 04-CV-758  |
| Metso Minerals Industries, Inc.   | 04-CV-1011 |
| Miller Bros Giant Tire Service-<br>Jacksonville, Inc.                       | 04-CV-1178 |
| The Miller Spreader Co.   | 04-CV-1008 |
| Mission Critical System, Inc.   | 04-CV-1014 |
| Mobile Products, Inc.   | 04-CV-1186 |
| Mobile Storage Group, Inc.  | 04-CV-1028 |
| Morgan Auto Supply Co.  | 04-CV-1191 |
| Morgan Guaranty Trust Company of<br>New York                                | 04-CV-1192 |
| Morgan Marshall Industries Inc.   | 04-CV-763  |
| Multiquip Inc.  | 04-CV-1025 |
| Mutual Industries   | 04-CV-737  |
| Naab Consulting Corp.   | 04-CV-1027 |
| Nabors Radiator & Electric  | 04-CV-738  |
| NACM  | 04-CV-1067 |
| NAPA Auto Parts, National Automotive<br>Parts Association                   | 04-CV-1041 |
| Napa Auto Parts of Franklin   | 04-CV-1073 |
| Nashville Tractor & Equip. Inc. formally<br>known as Nashville Ford Tractor | 04-CV-1063 |
| Neff Rental Inc.  | 04-CV-785  |
| Nickey Petroleum Co. Inc.   | 04-CV-1085 |
| Nortrax Equipment Co. SE, LLC   | 04-CV-1045 |
| Nortrax Equipment Co. South LA  | 04-CV-1044 |
| Nortrax NE LLC  | 04-CV-1064 |
| NSTAR Electric & Gas Corporation  | 04-CV-1066 |

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| Office Management Systems Inc.                        | 04-CV-742  |
| Olsen Tire  | 04-CV-792  |
| Original Equipment Replacement Parts, Inc.            | 04-CV-777  |
| Orlando Industrial Contractors                        | 04-CV-776  |
| OTR Tire & Supply Co.                                 | 04-CV-1088 |
| Overland Machinery Co.                                | 04-CV-1089 |
| Pacific Century LSG #449                              | 04-CV-1074 |
| Palmer Distributing & Sales                           | 04-CV-1055 |
| Parkway Truck Sales, Inc.                             | 04-CV-781  |
| Partner Industrial Products                           | 04-CV-1047 |
| Parts Associates                                      | 04-CV-1056 |
| Penick, Parr & Associates                             | 04-CV-1092 |
| Peterson Tire Inc.                                    | 04-CV-1061 |
| Pipeline Supply & Service                             | 04-CV-1098 |
| Pratt & Whitney Canada, Inc.                          | 04-CV-786  |
| Pro Chem Cleaning                                     | 04-CV-1108 |
| Progressive Tractor Corp.                             | 04-CV-791  |
| Promotion Solution Inc.                               | 04-CV-790  |
| Quick Corner CITGO                                    | 04-CV-1119 |
| Reeder Distributors Inc.                              | 04-CV-749  |
| Relizon   | 04-CV-750  |
| Rentlink Inc.   | 04-CV-1054 |
| Rhode Island Tire Co. Inc.                            | 04-CV-1032 |
| Rish Equipment Company                                | 04-CV-796  |
| Robertson Fleet Service Inc.                          | 04-CV-1029 |
| S&D Tire Inc.   | 04-CV-1134 |
| Saber Fleet Services, Inc. d/b/a Weiland Tire Service | 04-CV-753  |

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| Sanford Auto & Truck Parts                 | 04-CV-1140 |
| Scotty's Oil Company, Inc.                 | 04-CV-755  |
| Sellers Petroleum Products Inc.            | 04-CV-1109 |
| Sensormatic Electronics Corp.              | 04-CV-1169 |
| Services & Materials, Co.                  | 04-CV-1171 |
| Sherwin-Williams                           | 04-CV-754  |
| SB Power Tool Corp.                        | 04-CV-1174 |
| Soco Group                                 | 04-CV-1159 |
| Son Coast, Hauling, CCC                    | 04-CV-1077 |
| Southeastern Crane                         | 04-CV-799  |
| Southern Energy Company                    | 04-CV-1084 |
| Southern Linc                              | 04-CV-1093 |
| Spectra Precision d/b/a Richard B. Trimble | 04-CV-1094 |
| Speedway New Holland                       | 04-CV-1100 |
| Staffing Master.com                        | 04-CV-1113 |
| Star Tire Company Inc.                     | 04-CV-1050 |
| Sterling Truck of Utah                     | 04-CV-1102 |
| Stihl Inc. National Accounts               | 04-CV-1180 |
| Stone Construction Equipment Inc.          | 04-CV-1183 |
| Sullivan Palatek Inc.                      | 04-CV-1052 |
| Sun Coast Resources Inc.                   | 04-CV-1188 |
| Tacony Corporation                         | 04-CV-808  |
| Terex Aerials, Inc. d/b/a Terex Cranes     | 04-CV-973  |
| Texana Machinery Corp.                     | 04-CV-805  |
| Tex Con Oil Company                        | 04-CV-1120 |
| Tioga Inc.                                 | 04-CV-1129 |
| TIP Dept 0501                              | 04-CV-1131 |
| Tire Centers LLC                           | 04-CV-1133 |

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| TMP Worldwide Inc. also known as<br>Monster Worldwide, Inc. | 04-CV-986  |
| Triton Transport Inc  | 04-CV-1196 |
| Truck Lease Corp.   | 04-CV-1198 |
| Truck PM Corporation  | 04-CV-1002 |
| Tsurumi (America) Inc.                                      | 04-CV-1005 |
| Tullo Truck Stop  | 04-CV-1138 |
| Unifirst Corp.  | 04-CV-1139 |
| Uniontools, Inc.  | 04-CV-1009 |
| US Imaging Solutions  | 04-CV-1012 |
| US Market Inc.  | 04-CV-740  |
| Valley Rubber & Gasket                                      | 04-CV-1144 |
| Valley Tire Co., Inc.                                       | 04-CV-1194 |
| The Valvoline Company                                       | 04-CV-759  |
| Vector Security Inc   | 04-CV-1197 |
| Vermeer Equipment of Texas Inc.                             | 04-CV-1166 |
| Vermeer Northeast   | 04-CV-1175 |
| Vermeer of Tennessee, Inc.                                  | 04-CV-1071 |
| Vermeer Sales & Service of Colorado, Inc.                   | 04-CV-1112 |
| Vermeer Sales and Service of Southern<br>Ohio, Inc.         | 04-CV-1107 |
| Vermeer Sales of Texas Inc.                                 | 04-CV-1189 |
| Vickers & Asso, Inc.  | 04-CV-1079 |
| Vic's Tire Service  | 04-CV-804  |
| Viking Oil  | 04-CV-1081 |
| Voltech Company   | 04-CV-1087 |
| Wayne Miller's Mobile Tire Inc.                             | 04-CV-1179 |
| Worcester Truck Body Co., Inc.                              | 04-CV-1168 |



World Wide Welding & Press Inc.  
Defendants.

04-CV-1103

**CERTIFICATION OF COUNSEL REGARDING ORDER: (I) SETTING  
PROCEDURES TO FACILITATE SETTLEMENT  
OF THE ABOVE-CAPTIONED ADVERSARY PROCEEDINGS,  
AND (II) SETTING OCTOBER 11, 2005 AT 10:00 A.M. AS A  
STATUS/SCHEDULING CONFERENCE DATE IN THE  
ABOVE-CAPTIONED ADVERSARY PROCEEDINGS**

I, Mary E. Augustine, Esq. of The Bayard Firm, counsel for the Plaintiffs (“Plaintiff” or “Plaintiffs”) in the above-captioned adversary proceedings (the “Adversary Proceedings”), hereby certify as follows:

1. On May 16, 2005, an initial pretrial conference was held (the “Pretrial Conference”) in the Adversary Proceedings.

2. At the Pretrial Conference, the Plaintiff proposed a schedule to apply to the Adversary Proceedings for the submission of settlement proposals/positions to the Plaintiff with the Plaintiff’s required response deadlines. The Court also directed that a status/scheduling conference pursuant to Rule 16(b) of the Federal Rules of Civil Procedure be held in the Adversary Proceedings on October 11, 2005 at 10:00 a.m.

3. Accordingly, for the Court’s consideration, attached hereto as Exhibit A is a proposed Order reflecting the dates and procedure presented at the Pretrial Conference.

*Remainder of page intentionally left blank.*

4. I respectfully request the entry of the proposed Order at the Court's earliest convenience.

Dated: May 18, 2005

THE BAYARD FIRM

A handwritten signature in cursive script, appearing to read "M. Augustine".

Neil B. Glassman, Esq. (No. 2087)

Christopher A. Ward (No. 3877)

Mary E. Augustine (No. 4477)

222 Delaware Avenue, Suite 900

Wilmington, Delaware 19801

(302) 655-5000 (telephone)

(302) 658-6395 (facsimile)

-and-

LOWENSTEIN SANDLER PC

Paul Kizel, Esq.

65 Livingston Avenue

Roseland, New Jersey 07068

(973) 597-2500 (telephone)

(973) 597-2400 (facsimile)

Attorneys for Plaintiffs

## **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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| <p>NationsRent Unsecured Creditor's<br/>Liquidating Trust, Perry Mandarino, not<br/>personally, but as Trustee</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>3-D/Costal Oil Company</p> <p>4 Star Air Hydraulics &amp; Ind.</p> <p>Action Tire Company</p> <p>ADA Resources Inc.</p> <p>Advanced Tire Inc.</p> <p>Ael Leasing Co., Inc.</p> <p>Agovino &amp; Asselta, LLP</p> <p>Airdyne Management Inc.</p> <p>Allen Oil Company of Sylacauga, Inc.<sup>1</sup></p> <p>Alternators Unlimited Reb.</p> <p>A.O.K. Tire Mart II, Inc.</p> <p>Archie's Truck Service</p> <p>Arrow Master, Inc.</p> <p>ASAP Equipment Rental &amp; Sales</p> <p>Authorized Equipment, Inc.</p> | <p>District Court Case Nos. (KAJ):</p> <p>04-CV-1033</p> <p>04-CV-1030</p> <p>04-CV-1031</p> <p>04-CV-976</p> <p>04-CV-713</p> <p>04-CV-767</p> <p>04-CV-1035</p> <p>04-CV-714</p> <p>04-CV-801</p> <p>04-CV-988</p> <p>04-CV-766</p> <p>04-CV-1158</p> <p>04-CV-1160</p> <p>04-CV-716</p> <p>04-CV-784</p> |

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| Original Equipment Replacement Parts, Inc.            | 04-CV-777  |
| Orlando Industrial Contractors                        | 04-CV-776  |
| OTR Tire & Supply Co.                                 | 04-CV-1088 |
| Overland Machinery Co.                                | 04-CV-1089 |
| Pacific Century LSG #449                              | 04-CV-1074 |
| Palmer Distributing & Sales                           | 04-CV-1055 |
| Parkway Truck Sales, Inc.                             | 04-CV-781  |
| Partner Industrial Products                           | 04-CV-1047 |
| Parts Associates                                      | 04-CV-1056 |
| Penick, Parr & Associates                             | 04-CV-1092 |
| Peterson Tire Inc.                                    | 04-CV-1061 |
| Pipeline Supply & Service                             | 04-CV-1098 |
| Pratt & Whitney Canada, Inc.                          | 04-CV-786  |
| Pro Chem Cleaning                                     | 04-CV-1108 |
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| Promotion Solution Inc.                               | 04-CV-790  |
| Quick Corner CITGO                                    | 04-CV-1119 |
| Reeder Distributors Inc.                              | 04-CV-749  |
| Relizon   | 04-CV-750  |
| Rentlink Inc.   | 04-CV-1054 |
| Rhode Island Tire Co. Inc.                            | 04-CV-1032 |
| Rish Equipment Company                                | 04-CV-796  |
| Robertson Fleet Service Inc.                          | 04-CV-1029 |
| S&D Tire Inc.   | 04-CV-1134 |
| Saber Fleet Services, Inc. d/b/a Weiland Tire Service | 04-CV-753  |
| Sanford Auto & Truck Parts                            | 04-CV-1140 |

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| Sellers Petroleum Products Inc.                             | 04-CV-1109 |
| Sensormatic Electronics Corp.                               | 04-CV-1169 |
| Services & Materials, Co.                                   | 04-CV-1171 |
| Sherwin-Williams  | 04-CV-754  |
| SB Power Tool Corp.   | 04-CV-1174 |
| Soco Group  | 04-CV-1159 |
| Son Coast, Hauling, CCC                                     | 04-CV-1077 |
| Southeastern Crane  | 04-CV-799  |
| Southern Energy Company                                     | 04-CV-1084 |
| Southern Linc   | 04-CV-1093 |
| Spectra Precision d/b/a Richard B. Trimble                  | 04-CV-1094 |
| Speedway New Holland  | 04-CV-1100 |
| Staffing Master.com   | 04-CV-1113 |
| Star Tire Company Inc.                                      | 04-CV-1050 |
| Sterling Truck of Utah                                      | 04-CV-1102 |
| Stihl Inc. National Accounts                                | 04-CV-1180 |
| Stone Construction Equipment Inc.                           | 04-CV-1183 |
| Sullivan Palatek Inc.                                       | 04-CV-1052 |
| Sun Coast Resources Inc.                                    | 04-CV-1188 |
| Tacony Corporation  | 04-CV-808  |
| Terex Aerials, Inc. d/b/a Terex Cranes                      | 04-CV-973  |
| Texana Machinery Corp.                                      | 04-CV-805  |
| Tex Con Oil Company   | 04-CV-1120 |
| Tioga Inc.  | 04-CV-1129 |
| TIP Dept 0501   | 04-CV-1131 |
| Tire Centers LLC  | 04-CV-1133 |
| TMP Worldwide Inc. also known as<br>Monster Worldwide, Inc. | 04-CV-986  |

|  |            |
|--|------------|
| Triton Transport Inc                             | 04-CV-1196 |
| Truck Lease Corp.                                | 04-CV-1198 |
| Truck PM Corporation                             | 04-CV-1002 |
| Tsurumi (America) Inc.                           | 04-CV-1005 |
| Tullo Truck Stop                                 | 04-CV-1138 |
| Unifirst Corp.                                   | 04-CV-1139 |
| Uniontools, Inc.                                 | 04-CV-1009 |
| US Imaging Solutions                             | 04-CV-1012 |
| US Market Inc.                                   | 04-CV-740  |
| Valley Rubber & Gasket                           | 04-CV-1144 |
| Valley Tire Co., Inc.                            | 04-CV-1194 |
| The Valvoline Company                            | 04-CV-759  |
| Vector Security Inc                              | 04-CV-1197 |
| Vermeer Equipment of Texas Inc.                  | 04-CV-1166 |
| Vermeer Northeast                                | 04-CV-1175 |
| Vermeer of Tennessee, Inc.                       | 04-CV-1071 |
| Vermeer Sales & Service of Colorado, Inc.        | 04-CV-1112 |
| Vermeer Sales and Service of Southern Ohio, Inc. | 04-CV-1107 |
| Vermeer Sales of Texas Inc.                      | 04-CV-1189 |
| Vickers & Asso, Inc.                             | 04-CV-1079 |
| Vic's Tire Service                               | 04-CV-804  |
| Viking Oil                                       | 04-CV-1081 |
| Voltech Company                                  | 04-CV-1087 |
| Wayne Miller's Mobile Tire Inc.                  | 04-CV-1179 |
| Worcester Truck Body Co., Inc.                   | 04-CV-1168 |
| World Wide Welding & Press Inc.                  | 04-CV-1103 |
| Defendants.                                      |            |

**ORDER: (I) SETTING PROCEDURES TO FACILITATE  
SETTLEMENT OF THE ABOVE-CAPTIONED ADVERSARY  
PROCEEDINGS, AND (II) SETTING OCTOBER 11, 2005 AT 10:00 A.M.  
AS A STATUS/SCHEDULING CONFERENCE DATE IN THE  
ABOVE-CAPTIONED ADVERSARY PROCEEDINGS**

This matter having come before the Court at the initial pretrial conference (the "Pretrial Conference") held on May 16, 2005; and the Court having considered the settlement procedures proposed by counsel for Plaintiff in the captioned adversary proceedings ("Plaintiff" or "Plaintiffs"); and having considered all responses thereto;

IT IS HEREBY ORDERED THAT:

1. Each defendant (the "Defendant") in the each of above-captioned adversary proceedings (the "Adversary Proceedings") shall submit a written settlement proposal/position (the "Settlement Position") in good faith to counsel for the Plaintiffs by July 15, 2005, which: (a) contains a brief statement setting forth the basis of the Defendant's defenses, (b) attaches all documentation supporting such defenses, and (c) sets forth Defendant's settlement proposal and/or position. The Settlement Position shall be served upon Plaintiff's counsel at the following address:

Lowenstein Sandler PC  
Attn: Susan Ericksen, Esq.  
65 Livingston Avenue  
Roseland, NJ 07068-1791

2. The Plaintiff shall consider the Settlement Positions in good faith and shall respond in writing to each Settlement Position pursuant to the following schedule:

- a. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is greater than \$50,000.00, the Plaintiff must respond to the Settlement Position by August 19, 2005.

- b. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is between \$20,000.00 and \$50,000.00, the Plaintiff must respond to the Settlement Position by September 16, 2005.
- c. If the amount sought to be recovered by the Plaintiff in the Adversary Proceeding is less than \$20,000.00 the Plaintiff must respond to the Settlement Position by September 30, 2005.

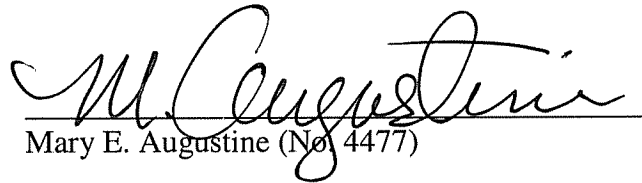
3. Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a status/scheduling conference for the unresolved Adversary Proceedings will be held on October 11, 2005 at 10:00 a.m.

Dated: \_\_\_\_\_, 2005

\_\_\_\_\_  
The Honorable Kent A. Jordan  
United States District Court Judge

**CERTIFICATE OF SERVICE**

I Mary E. Augustine, hereby certify that on this 18<sup>th</sup> day of May, 2005, I caused a copy of the **Certification of Counsel Regarding Order: (I) Setting Procedures to Facilitate Settlement of the Above-Captioned Adversary Proceedings, and (II) Setting October 11, 2005 at 10:00 a.m. as a Status/Scheduling Conference Date in the Above-Captioned Adversary Proceedings** to be served upon the parties listed on the attached service list via hand delivery to local parties and via First Class United States Mail to all other parties thereon.

  
Mary E. Augustine (No. 4477)

Jeff Wasserman, Esq.  
Ciconte, Roseman and Wasserman  
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Wilmington, DE 19801

Re: 3-D/Coastal Oil Company

Jeff Wasserman, Esq.  
Ciconte, Roseman and Wasserman  
1300 King Street  
Wilmington, DE 19801

Re: 4 Star Air Hydraulics & Ind.

Ed Hart pro se  
7465 St. Route 366, Suite D  
Huntsville, OH 43324

Re: A&H Hose and Fitting

Jeff Wasserman, Esq.  
Ciconte, Roseman and Wasserman  
1300 King Street  
Wilmington, DE 19801

Re: A.O.K. Tire Mart II, Inc.

Mr. Ricky Stewart, President/CEO  
410 Lee's Mill Road  
Forest Park, GA 30297

Re: Action Tire Company

Rebecca Beste, Esq.  
Potter Anderson  
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PO Box 951  
Wilmington, DE 19899-0951

Re: ADA Resources

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Re: Advanced Tire

William G. Wright, Esq.  
Farr, Burke, Gambacorta & Wright  
211 Benigno Blvd., Suite 201  
Bellmawr, NJ 08031

Re: Ael Leasing Co., Inc.

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Re: Airdyne

Mark Owsley, Esq.  
PO Box 6105  
Talladega, Alabama 35161

Re: Allen Oil Company of Sylacauga, Inc.

Joyce Lindauer  
12900 Preston Road, Suite 1050  
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Re: Alternators Unlimited Reb.

Jeff Wasserman, Esq.  
Ciconte, Roseman and Wasserman  
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Wilmington, DE 19801

Re: American Hydraulics

Attention: Stephen Paradis, President/CEO  
Attn: Stephen Paradis, President/CEP  
180 Alabama Road  
Tewksbury, MA 01876

Re: Archie's Truck

Attn: Stephen Paradis, President/CEO  
Attn: Stephen Paradis, President/CEP  
5 Villa Street  
Chelsea, MA 02150

Re: Archie's Truck

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Wilmington, DE 19801

Re: Arrow Master

Judy Jones, Esq.  
Cross & Simon LLC  
913 N. Market Street, Suite 1001  
PO Box 1380  
Wilmington, DE 19899

Re: ASAP Rental

Jonathon Pledger, Esq.  
The Beasley Law Group  
5205 Maryland Way, Suite 320  
Brentwood, TN 37027

Re: Authorized Equipment, Inc.

Attn: Aubrey D1 Pitcock, Registered Agent  
220 Hookston Road  
Pleasant Hill, CA 94523

Re: Bay Counties Pitcock Petroleum

Attn: Joe Baker, CEO/President  
10950 Belcher Road  
Largo, FL 33777

Re: BBF Printing Solutions, Inc.

Attn: Carol Clark, General Counsel  
11401 Lamar Avenue  
Overland Park, Kansas 66211

Re: Black & Veatch Constr., Inc.



Attn: Clarence Bergman, President/CEO  
1446 N 24<sup>th</sup> Avenue  
Phoenix, AZ 85009

Re: Blue Ribbon Tire

Sally Baumgartne, Registered Agent  
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West Bradenton, FL 33505

Re: Badenton Fuel Oil, Inc.

Attn: Karen Baldw, CEO/President  
6116 21<sup>st</sup> Street  
East Bradenton, FL 34203

Re: Bradenton Fuel Oil, Inc.

Attn: President / CEO  
5710 Riverview Road  
Mableton, GA 30059

Re: Burch-Lowe, Inc.

Attn: The Corporation Company  
2000 Interstate Park Drive, Suite 2  
Montgomery, AL 36100

Re: Burch-Lowe, Inc.

Eric French  
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Cincinnati, OH 45202

Re: C.G&E

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Attn: Craig Powe, Esq.  
2919 Allen Parkway, Suite 1500  
Houston, TX 77019

Re: Carruth-Doggett

Robert C. Meyer  
2223 Coral Way  
Miami, FL 33145

Re: Central Tire

Jason Sitt, Esq.  
Keating, Muething & Klekamp  
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One East Fourth Street  
Cincinnati, OH 45202

Re: Cintas Corp.

Mr. Curtis Allen, President/CEO  
30 Technology Parkway South  
Suite 100  
Norcross, GA 30092

Re: Reed Construction Data

Mr. Arol R. Wolford, President/CEO  
PO Box 2241  
Carol Stream, IL 60116

Re: CMD Group

Mr. Steven Hueser, CEO/President  
590 Huey Road  
Rock Hill, SC 29730

Re: Terex Light Construction Co.

Jeffrey Philip Wasserman, Esq.  
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Wilmington, DE 19801

Re: Collision Pro

Rachel B. Mersky, Esq.  
Monzack and Monaco  
1201 North Orange Street, Suite 400  
Wilmington, DE 19801

Re: Columbus Equipment Co.

Timothy T. Tevens, President/CEO  
140 John James Audubon Parkway  
Amherst, NY 14228

Re: Columbus McKinnon

Jody Shilling President/CEO  
2595 Southwest Railroad Ave  
Hammond, LA 70403

Re: Commercial Tire, Inc.

Gerald West  
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Baker, LA 70714

Re: Commercial Tire, Inc.

Cook Inlet Region, Inc.  
Attn: Lisa Rieger, General Counsel  
2525 "C" Street, Suite 500  
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Re: Construction Machinery, Inc.

Robert Matz, Chairman  
M-L Holdings Company  
4601 Washington Blvd.  
Baltimore, MD 21227

Re: Contractors Machinery Co. Inc.

Saegre & Benson  
Attn: Darrell Daley, Esq.  
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Re: Corporate Express

John Frawley, Esq.  
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Irondale, Alabama 35210

Re: Cowin Equipment Co., Inc.

Sam O. Simmerman, Esq.  
Krugliak, Wilkins et al.  
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Re: Creative Financial Staffing

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Re: Crosscheck

Mike Weinsier, Esq.  
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New York, New York 10004

Re: Cyrk, Inc. a/k/a Cyrk Acquisition

Jeff Margolin, Esq.  
Hughes Hubbard & Reed LLP  
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Re: Cyrk, Inc. a/k/a Cyrk Acquisition

Attn: Rick Nettina - President / CEO  
4519 Taylor Street  
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Re: Delta BCX Printing

Attn: Mr. Ronald Cooper - President / CEO  
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Memphis, TN 38118

Re: Delta Formost Chemical

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Re: Diamant Boart

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League City, Texas  
6776 FM 2004  
Hitchcock, TX 77563

Re: Diamond Hydraulics

Barry Gindlesburger, Esq.  
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Jeanette, PA 15644

Re: Diamond J. Transport, Inc.

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Cleveland, Ohio 44121

Re: Diversified Credit Service

Bobby Dorris  
d/b/a Dorris Cleaning  
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Greenbrier, TN 37073

Re: Dorris Cleaning

Shaked & Posner  
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225 W. 34th Street, Suite 110  
New York, NY 10122

Re: Dorskocil Industries, Inc.

Les Shayo, Esq.  
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Beverly Hills, CA 90211

Re: Dossey Holdings, Inc.

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222 Delaware Ave., 10th Floor  
Wilmington, DE 19801

Re: Double A

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Ciconte, Roseman and Wasserman  
1300 King Street  
Wilmington DE 19801

Re: Douglass Distributing

Attn: Steven Russ, President / CEO  
31 Carleton Ave.  
Mt. Vernon, NY 10550-4617

Re: Dutchess Forging

David J. Turiciano, Esq.  
Cook & Franke S.C.  
660 East Mason Street  
Milwaukee, WI 53202-3877

Re: Metso Minerals, Inc., f/k/a Dynapac

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Re: EJ Reynolds

William D. Sullivan, Esq.  
The Nemours Building, Suite 1110  
1007 N. Orange St.  
Wilmington, DE 19899

Re: Empite d/b/a Nortrax

Attn: President/Chief Executive Officer  
100 Thomas Johnson Dr.  
Frederick, MD 21702

Re: Equipment Development Company

Attn: President/Chief Executive Officer  
1195 Broad St.  
Providence RI 02905-2910

Re: Equiptechs, Inc.

Attn: President/ Chief Executive Officer  
1411 N. 27th Ave.  
Phoenix, AZ 85009

Re: Falcon Power, Inc.

Attn President/ Chief Executive Officer  
305 S. Andrews  
Fort Lauderdale, FL 33301

Re: Fischer Group

Attn: President/Chief Executive Officer,  
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Re: Fischer Group

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Re: FL Hydraulic Machinery

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Re: Fleetwing Corp.

Attn: President/Chief Executive Officer  
Fluid Tech Hydraulics  
8432 Tiogawoods Drive  
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Re: Fluid Tech

Attn: President/Chief Executive Officer  
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GCR Pensacola Truck Tire Center

Attn: President Chief Executive Officer  
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Re: GCR Pensacola Truck Tire Center

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Re: Gene Jackson Tire Co.

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Re: Gene Jackson Tire Co.

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Re: GFC Leasing

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Re: GMR Marketing Inc.

Attn: President/Chief Executive Officer  
220 E 42nd St., 15th Fl.  
NYC, NY

Re: GMR Marketing Inc.

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Re: Goodyear Commercial Tire

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Re: GSR Construction, Inc.

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Re: Gullo Ford Mercury

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Re: Harbor Graphics Corp.

Attn: Paul Bentley, Registered Agent  
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Re: Hick's Petroleum Distributors, Inc.

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Re: Hindley Electronics, Inc.

Attn: President/Chief Executive Officer  
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Re: ID Technologies, Inc.

Attn: President/Chief Executive Officer  
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Pompano Beach, FL 33064

Re: ID Technologies, Inc.

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Re: Hick's Petroleum Distributors

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Re: Husquarna Forest & Garden

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Re: Igloo Products Corp.

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Re: Illuminating Company, The

Brouse McDowell  
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Re: Illuminating Company, The

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Re: Industrial Hydraulics

Attn: E. Hack Mays, Jr.  
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Re: Industrial Hydraulics

Attn: President/Chief Executive Officer  
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Decatur, AL 35601

Re: Industrial Hydraulics

Attn: President/Chief Executive Officer  
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Re: Industrial Hydraulics

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Re: J A M Distributing Company

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Re: J&B Auto Supply, Inc.



Attn: President/Chief Executive Officer  
J&B Auto Supply & Machine  
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Re: J&B Auto Supply, Inc.

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Re: Jeff Falkanger & Associates

Akerman Senterfitt  
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Re: Joe Jeter Sales

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Re: John Ray and Sons, Inc.

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Re: Kent Demolition Tools

Attn: President/Chief Executive Officer  
799 Roosevelt Road  
Building 3, Suite 10  
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Re: Keson Industries, Inc.

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810 Commerce Street  
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Re: Keson Industries, Inc.

Attn: Roger Hammond  
101 East Palm Aven  
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Re: Kforce.com

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Re: L&P Financial Services

Mr. Michael Lane  
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Re: Laclede Chain Mfg. Co.

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Re: Land & Sea Petroleum, Inc.

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6710 NW 15th Way  
Fort Lauderdale, FL

Re: Land & Sea Petroleum, Inc.

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Re: Lionudakis Wood & Green Waste, Inc.

Attn: President/Chief Executive Officer  
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Re: Lionudakis Wood & Green Waste, Inc.

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Re: Little Beaver, Inc.

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Re: Lockhart Tire

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Re: M.P. Brine Inc.

Corporation Service Company  
4845 Jimmy Carter Blvd.  
Norcross, GA 30093

Re: Maxim Group

Attn: President/Chief Executive Officer  
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Re: Maxim Group

Maxout Sourcing Systems  
Attn: President/Chief Executive Officer  
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Re: Maxout Sourcing Services

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Re: Miller Bros. Giant Tire Service

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Re: Carl G. James, Esq.

Attn: President/Chief Executive Officer  
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Re: Mobile Products Inc.

Attn: President/Chief Executive Officer  
201 W Oklahoma Ave  
Fairview, OK 73737

Re: Mobile Products, Inc.

Attn: Carl N. Kunz, III  
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Re: Mobile Storage Group Inc.

Earl G. Covington  
5225 Katy Freeway, Suite 206  
Houston, TX 77007

Re: Morgan Auto Supply Co.

Attn: President/Chief Executive Officer  
1219 South Street  
Pasadena, TX 77503

Re: Morgan Auto Supply Co.

Attn: President/Chief Executive Officer  
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Newark, DE 19713

Re: Morgan Guaranty Trust Co.

Attn: President/Chief Executive Officer  
& Stanley Jewell  
1400 N. 25th St.  
Melrose Park, IL 60160

Re: Morgan Marshall Industries, Inc.

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633 West 5th Street, 51st Floor  
Los Angeles, CA 90071

Re: Multiquip Inc.

Jane C. Fennelly, Esq.  
Creim, Macias & Koenig LLP  
633 West 5th Street, 51st Floor  
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Re: Multiquip Inc.

Attn: President/Chief Executive Officer  
720 Grange St.  
Philadelphia, PA 19120

Re: Mutual Industries

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Re: Naab Consulting Corp.

Attn: President Chief Executive Officer and J.R.  
Nabors, 617 25th St. South  
Birmingham, AL 35233

Re: Nabors Radiator & Electric

NACM of Colorado  
Attn: Dennis Bedingfield, Registered Agent  
777 S. Wadsworth, Suites 2-100  
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Re: NACM

Attn: President/Chief Executive Officer  
NACM Southwest  
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Re: NACM

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Re: NAPA Auto Parts of Franklin

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Re: Nashville Tractor & Equip. Inc.

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Re: Nickey Petroleum Co., Inc.

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Re: Nortrax Equipment Co. South LA

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Re: Office Management Systems, Inc.

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Re: Morgan Tire & Auto, Inc. d/b/a  
Olson Tire Total Car Care

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Re: Morgan Tire & Auto, Inc. d/b/a  
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Re: Original Equip. Replacement Parts

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Re: Original Equip. Replacement Parts

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Re: Orlando Industrial Contractors

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Re: OTR Tire & Supply Co.

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Re: Overland Machinery Co.

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Re: Palmer Distributing & Sales

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Re: Parts Associates

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Re: Peterson Tire Inc.

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Re: Parkway Truck Sales, Inc.

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Re: Pipeline Supply & Service

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Re: Pro Chem Cleaning

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Re: Progressive Tractor Corp.

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Re: Progressive Tractor Corp.

Attn: John D. Cartmill, Registered Agent (or CEO)  
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Re: Promotion Solution, Inc.

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Linda F. Reeder, Treasurer  
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Re: Reeder Distributors, Inc.

Gary Reeder, President  
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Re: Reeder Distributors Inc.

Gary M. Reeder, President  
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Re: Reeder Distributors Inc.

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Re: Relizon

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Re: Rentlink Inc.

Attn: Ron Holland, President  
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Re: Rhode Island Tire Co. Inc.



Attn: Ronald Lawton Holland, President  
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Re: Robertson Fleet Services

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Re: S&D Tire, Inc.

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Re: Saber Fleet Services, Inc. d/b/a Weiland  
Tire Service

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Re: Saber Fleet Services, Inc. d/b/a Weiland  
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Re: Scotty's Oil Company, Inc.

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Re: Seay Oil Company

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Re: Services & Materials  
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Re: The Sherwin-Williams Co.

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Re: Skil Bosch, SB Power Tool Co.

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Re: Southeastern Crane

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Re: Texana Machinery Corp.

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Re: Wendel, Randy

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